
HOUSE CONCURRENT RESOLUTION 4414

State of Washington

53rd Legislature

1993 Regular Session

By Representatives Ballasiotes, Appelwick, Tate, Mastin, Edmondson and Carlson

Read first time 02/12/93. Referred to Committee on Judiciary.

1 WHEREAS, The people of the state of Washington have a substantial
2 interest in ensuring an efficient and effective judicial system; and

3 WHEREAS, It is essential to the fair administration of justice that
4 the judiciary is composed of judges who have the experience, expertise,
5 and ability necessary to ensure competence; and

6 WHEREAS, The role of the judiciary is to interpret and apply the
7 law as it was written and intended and not to make law based on the
8 personal or political preference of a particular judge; and

9 WHEREAS, Judges should have the most meaningful opportunity to make
10 objective and neutral decisions based solely on the law and to
11 eliminate the potential undue influence of electoral considerations;
12 and

13 WHEREAS, It is necessary to establish a process whereby the
14 citizens of Washington state are ensured that only the most qualified
15 individuals are able to serve as judges;

16 NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives,
17 the Senate of the state of Washington concurring, That a joint select
18 committee on judicial qualifications be established to review the
19 current process of determining judicial qualifications; and

20 BE IT FURTHER RESOLVED, That the committee address, study, analyze,
21 and make recommendations on the following issues:

1 (1) Current methods of electing and appointing judges and the
2 development of improved or alternative means of filing judicial
3 positions;

4 (2) Elimination of the election of judges and establishment of the
5 appointment of judges by the chief executives of the jurisdictions they
6 serve - state, county, or city;

7 (3) Creation of a citizens' commission composed of a cross-section
8 of lawyers and nonlawyers jointly appointed by the legislative and
9 executive branches, which would develop a process and standards for
10 determining if a candidate is qualified for approval and appointment,
11 and for disciplining a judge for misconduct, malfeasance, or
12 incapacity, including removal, reprimand, suspension, or fines;

13 (4) Requirement that an individual seeking judicial office must
14 obtain the approval of the citizens' committee before he or she may be
15 appointed a judge;

16 (5) The establishment of a term limit for judges such as four years
17 from the year of appointment and requiring an incumbent judge who
18 wishes to remain in office to receive approval by a simple majority
19 vote of the electorate within the jurisdiction he or she serves in
20 order to retain the office; and

21 (6) The effectiveness, desirability, impacts, means, and costs of
22 any of the above, and any other matters involved in the selection,
23 election, appointment, and qualification of judges deemed appropriate
24 by the committee; and

25 BE IT FURTHER RESOLVED, That the committee consist of fourteen
26 members, as follows:

27 (1) Two members from each caucus of the Senate selected by the
28 President of the Senate, with at least one member from the membership
29 of the law and justice committee;

30 (2) Two members from each caucus of the House of Representatives
31 selected by the Speaker of the House of Representatives, with at least
32 one member from the membership of judiciary committee; and

33 (3) One representative from each of the following: The state of
34 Washington judicial council; the superior court judges association; the
35 commission on judicial conduct; the Washington state bar association;
36 the Washington association of prosecuting attorneys; and the Washington
37 defender association; and

1 BE IT FURTHER RESOLVED, That the joint committee on judicial
2 qualification and selection report its findings and recommendations to
3 the legislature by the start of the 1994 regular session.

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